

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
FAYETTEVILLE DIVISION**

<b>IN RE:</b>	)	<b>CASE NO. 23-02889-5-PWM</b>
	)	
<b>TOPPOS, LLC</b>	)	
	)	<b>CHAPTER 7</b>
<b>TAX ID/EIN: 83-1403583</b>	)	
	)	
	)	
<b>DEBTOR.</b>	)	

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**MOTION TO EXTEND DEADLINE TO RESPOND AND CONTINUE HEARING ON  
TRUSTEE’S MOTION TO SUBSTANTIALLY CONSOLIDATE CERTAIN NON-  
DEBTOR AFFILIATES INTO THE BANKRUPTCY ESTATE**

GreenState Credit Union (“GSCU”) through counsel, hereby moves the Court for an order an order extending the deadline for GSCU to respond to the Trustee’s *Motion to Substantively Consolidate Certain Non-Debtor Affiliates into Bankruptcy Estate* (Dkt. 229, “motion”).

In support of its motion, GSCU shows the Court that:

1. On October 5, 2023, the debtor filed a petition with the United States Bankruptcy Court for the Eastern District of North Carolina for relief under Chapter 11 of the United States Bankruptcy Code. The case converted to one under Chapter 7 on April 30, 2024. John C. Bircher, III, is the Chapter 7 Trustee.
2. On May 16, 2024, GSCU filed its *Motion For Relief From Stay Applying 11 U.S.C. §362(e)* (Dkt. 202). No objections being filed, this Court entered an *Order Granting Relief From Automatic Stay* (Dkt. 208) on June 5, 2024, granting GSCU’s request.
3. Trustee’s motion raises serious allegations and GSCU needs additional time to confer with counsel on the implications that they may have on GSCU, its claim, and to formulate an appropriate reply to the Trustee’s motion.
4. The current deadline to respond to the Trustee’s motion is August 1, 2024 and the hearing on the motion is scheduled for August 7, 2024 at 10:00 a.m. E.D.T.

5. The Trustee consents to GSCU's request to extend its response deadline and the Court has entered orders to similarly situated creditors extending the deadline to respond to September 6, 2024.

BASED UPON THE FOREGOING, GreenState Credit Union respectfully asks the Court to enter an order extending the deadline for responding to the Trustee's motion through and including September 6, 2024, and continuing the hearing to a date and time after September 6, 2024 that is convenient to the Court, and for such other relief as the Court may deem just and proper.

This, the 31<sup>st</sup> day of July 2024.

HUTCHENS LAW FIRM LLP

BY: /s/ Joseph J. Vonnegut

Joseph J. Vonnegut NC Bar # 32974  
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THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THE PURPOSE OF THIS COMMUNICATION IS TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date this *MOTION TO EXTEND DEADLINE TO RESPOND AND CONTINUE HEARING ON TRUSTEE'S MOTION TO SUBSTANTIALLY CONSOLIDATE CERTAIN NON-DEBTOR AFFILIATES INTO THE BANKRUPTCY ESTATE* was served upon the following parties by depositing a copy enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service or via the appropriate electronic servicer:

Debtor:

TOPPOS, LLC  
401 E Las Olas Boulevard  
Suite 130-161  
Fort Lauderdale, FL 33301

Various Parties Represented By Richard P. Cook

Richard P. Cook  
Richard P. Cook, PLLC  
7036 Wrightsville Avenue  
Suite 101  
Wilmington, NC 28403

Attorneys for Debtor:

Blake Y. Boyette  
Joseph Z. Frost  
Buckmiller, Boyette & Frost, PLLC  
4700 Six Forks Road/ Suite 150  
Raleigh, NC 27609

Chapter 7 Trustee:

John C. Bircher, III  
209 Pollock Street  
New Bern, NC 28560

Bankruptcy Administrator

Brian C. Behr  
Office of the Bankruptcy Administrator  
434 Fayetteville Street, Suite 640  
Raleigh, NC 27601

This the 31<sup>st</sup> day of July, 2024.

HUTCHENS LAW FIRM LLP

BY: /s/ Joseph J. Vonnegut

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